

Our File No: 11157-14

BERESKIN & PARR
Box 401
40 King Street West
Toronto, Canada
M5H 3Y2

August 24, 2000

The Commissioner of Patents & Trademarks
Washington, D.C., U.S.A. 20231



Dear Sir:

Transmitted herewith for filing is the patent application of

Inventors: **Malcolm King**

For: **Use of Charged Dextran as a Mucoactive Agent and Methods and Pharmaceutical Compositions Relating Thereto**

The following papers are also enclosed:

- [X] 5 sheets of X Formal drawings _____ Informal drawings
[X] A Declaration (Unsigned)

	Number Extra	Full Rate	Small Entity Rate	Total
Total Claims	28 - 20 = 8 X	\$ 18.00	\$ 9.00	\$72.00
Independent Claims	3 - 3 = 0 X	\$ 78.00	\$ 39.00	\$0.00
Multiple Claims	Flat Rate	\$260.00	\$130.00	\$0.00

Basic Fee = \$345.00
TOTAL FEES = \$417.00

- [X] Please charge Deposit Account No. 02-2095 in the amount of \$ 417.00. This letter is enclosed in duplicate.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 02-2095. This letter is enclosed in duplicate.
- [] Payment Of The Filing Fee Is Being Deferred.
- [] Related application. This application is a _____ Division _____ Continuation
_____ Continuation-in-part of application Serial No. _____, filed _____.
- [X] Convention priority is requested based on U.S. Provisional Application Serial No. 60/150,605 filed August 26, 2000 under 35 USC §119(e).

Respectfully submitted,

Micheline Gravelle
Registration No. 40,261

BERESKIN & PARR

BOX 401, 40 KING STREET WEST, TORONTO, CANADA M5H 3Y2
PHONE (416) 364-7311 • FAX (416) 361-1398 • WWW.BERESKINPARR.COM

PTO/SB/05 (4/98)

APR 01 2000 through 09/30/2000, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Please type a plus sign (+) inside this box → +

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))</i>		Attorney Docket No. 11157-14
		First Inventor or Application Identifier Malcolm King
		Title Use of Charged Dextran As A Mucoactive Agent and ...
		Express Mail Label No.

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>		ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
1. <input checked="" type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i>		5. <input type="checkbox"/> Microfiche Computer Program (Appendix)	
2. <input checked="" type="checkbox"/> Specification [Total Pages 34] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to Micro fiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 		6. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> <ol style="list-style-type: none"> <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Paper Copy (identical to computer copy) <input type="checkbox"/> Statement verifying identity of above copies 	
3. <input checked="" type="checkbox"/> Drawing(s)(35 U.S.C. 113) [Total Sheets 5]		7. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
4. Oath or Declaration [Total Pages <input type="checkbox"/>] <ol style="list-style-type: none"> <input type="checkbox"/> Newly executed (original or copy) <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) <i>(for continuation/divisional with Box 16 completed)</i> <ol style="list-style-type: none"> <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b). 		8. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee) <input type="checkbox"/> Attorney	
		9. <input type="checkbox"/> English Translation Document (if applicable)	
		10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations	
		11. <input type="checkbox"/> Preliminary Amendment	
		12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> <ul style="list-style-type: none"> * Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, (PTO/SB/09-12) 13. <input type="checkbox"/> Status still proper and desired 14. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 15. <input checked="" type="checkbox"/> Other: <u>Unsigned Declaration</u> 	
NOTE FOR ITEMS 1&13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).			

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

 Continuation Divisional Continuation-in-part (CIP) of prior application No: _____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

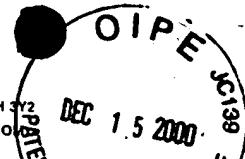
17. CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label	1059 <i>(Insert Customer No. or Attach bar code label here)</i>	or <input type="checkbox"/> Correspondence address below			
Name	Bereskin & Parr				
Address	Box 401 40 King Street West				
City	Toronto	State	Ontario	Zip Code	M5H 3Y2
Country	Canada	Telephone	(416) 364-7311	Fax	(416) 361-1398

Name (Print/Type)	Micheline Gravelle	Registration No. (Attorney/Agent)	40.261
Signature			Date August 24, 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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PTO/SB/17 (12/99)
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Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2000		Complete if Known	
<small>Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</small>			
TOTAL AMOUNT OF PAYMENT		(\$ 417.00)	

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																									
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number 022095</p> <p>Deposit Account Name Bereskin & Parr</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p>		<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet.</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td></tr> <tr><td>116</td><td>380</td><td>216</td><td>190 Extension for reply within second month</td></tr> <tr><td>117</td><td>870</td><td>217</td><td>435 Extension for reply within third month</td></tr> <tr><td>118</td><td>1,360</td><td>218</td><td>680 Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,850</td><td>228</td><td>925 Extension for reply within fifth month</td></tr> <tr><td>119</td><td>300</td><td>219</td><td>150 Notice of Appeal</td></tr> <tr><td>120</td><td>300</td><td>220</td><td>150 Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>260</td><td>221</td><td>130 Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,210</td><td>241</td><td>605 Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,210</td><td>242</td><td>605 Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>430</td><td>243</td><td>215 Design issue fee</td></tr> <tr><td>144</td><td>580</td><td>244</td><td>290 Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Petitions related to provisional applications</td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240 Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>690</td><td>246</td><td>345 Filing submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>149</td><td>690</td><td>249</td><td>345 For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr> <td colspan="2">SUBTOTAL (1) (\$ 345.00)</td> <td colspan="2">SUBTOTAL (3) (\$ 0.00)</td> </tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - late filing fee or oath	127	50	227	25 Surcharge - late provisional filing fee or cover sheet.	139	130	139	130 Non-English specification	147	2,520	147	2,520 For filing a request for reexamination	112	920*	112	920* Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	115	110	215	55 Extension for reply within first month	116	380	216	190 Extension for reply within second month	117	870	217	435 Extension for reply within third month	118	1,360	218	680 Extension for reply within fourth month	128	1,850	228	925 Extension for reply within fifth month	119	300	219	150 Notice of Appeal	120	300	220	150 Filing a brief in support of an appeal	121	260	221	130 Request for oral hearing	138	1,510	138	1,510 Petition to institute a public use proceeding	140	110	240	55 Petition to revive - unavoidable	141	1,210	241	605 Petition to revive - unintentional	142	1,210	242	605 Utility issue fee (or reissue)	143	430	243	215 Design issue fee	144	580	244	290 Plant issue fee	122	130	122	130 Petitions to the Commissioner	123	50	123	50 Petitions related to provisional applications	126	240	126	240 Submission of Information Disclosure Stmt	581	40	581	40 Recording each patent assignment per property (times number of properties)	146	690	246	345 Filing submission after final rejection (37 CFR § 1.129(a))	149	690	249	345 For each additional invention to be examined (37 CFR § 1.129(b))	Other fee (specify) _____				Other fee (specify) _____				SUBTOTAL (1) (\$ 345.00)		SUBTOTAL (3) (\$ 0.00)	
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Micheline Gravelle	Registration No. (Attorney/Agent)	40,261
Signature	<i>Micheline Gravelle</i>	Telephone	(416) 364-7311
Date	August 24, 2000		

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

T-5

Bereskin & Parr

03/00



Sector

Barristers and Solicitors/Patent and Trade Mark Agents
Practice Restricted to Intellectual Property Law

December 14, 2000



Micheline Gravelle B.Sc., M.Sc. (Immunol.)
416 957 1682 mgravelle@bereskinparr.com

Your Reference: 09/645,594
Our Reference: 11157-14

Commissioner for Patents and Trademarks
Washington, D.C. 20231
U.S.A.

Attention: Box Missing Parts

Dear Sir:

Re: NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION
United States Patent Application No. 09/645,594
Entitled: Use of Charged Dextran as a Mucoactive Agent and Methods
and Pharmaceutical Compositions Relating Thereto
Inventors: Malcolm King
Filing Date: August 25, 2000
Grp Art Unit: 1615

This is in response to the Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted mailed October 16, 2000, a copy of which we attach.

In accordance with the provisions of 37 C.F.R. §1.53, applicant hereby submits an executed Declaration for Patent Application of inventor **Malcolm King**.

With respect to paying the filing fees, please note that the fees were to be deducted from our Deposit Account No. 02-2095 upon filing of the application. A copy of our forms instructing the United States Patent Office to deduct the fees is enclosed for your records.

Accordingly, if the fees have not been deducted, the Commissioner is authorized to charge \$482.00 to Deposit Account No. 02-2095, in respect of (1) the filing fee of \$345.00; (2) the additional claim fee of \$72.00; and (3) the government surcharge of \$65.00. A duplicate copy of this sheet is enclosed. Applicant claims small entity status under CFR §1.27.

If any additional fee is due, including a fee for an extension of time, such an extension is hereby requested and the Commissioner is authorized to charge any such fee to Deposit Account No. 02-2095.

Respectfully submitted,

MALCOLM KING



Micheline Gravelle
Registration No. 40,261

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